

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Smith et al.

Confirmation No.: 7017

Serial No.: 10/804,331

Group Art Unit: 1648

Filed: March 19, 2004

Examiner: B. Blumel

For: *ALPHAVIRUS REPLICONS AND HELPER CONSTRUCTS*

Date: January 29, 2008

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

**NOTIFICATION OF CHANGE IN SMALL ENTITY STATUS
 AND PAYMENT OF FEE DEFICIENCIES**

Sir:

Applicants hereby notify the United States Patent and Trademark Office that the above-referenced patent application was filed on March 19, 2004 with the good faith belief that small entity status was appropriate for this application. Applicants have since determined that this application should have been filed with large entity status and that therefore small entity status for this application was established in error. Therefore, Applicants wish to assert large entity status for this application and correct all fee deficiencies.

Thus, pursuant to 37 C.F.R. § 1.28(c), Applicants submit the fee deficiencies (the deficiency between the amount paid and the amount due) for this application as follows:

Description of Fee	Date Paid	Fee Paid	Current Large Entity Fee	Fee Deficiency
Basic Filing Fee	March 19, 2004	\$385.00	\$1,030.00	\$645.00
Total Claims (as filed – 39 extra claims)	March 19, 2004	\$351.00	\$1,950.00 (39*50)	\$1,599.00
Independent Claims (as filed – 3 extra claims)	March 19, 2004	\$129.00	\$630.00 (3 * 210)	\$501.00
			Total Deficiency	\$2,745.00

The Commissioner is authorized to charge Deposit Account No. 50-0220 in the amount of **\$2,745.00** for the deficiency between the amount paid and the amount due. The Commissioner is authorized to charge any additional deficiency, or credit any overpayment, to our Deposit Account No. 50-0220.

USPTO Customer No. 20792
 Myers Bigel Sibley & Sajovec
 P.O. Box 37428
 Raleigh, NC 27627
 Telephone: (919) 854-1400
 Facsimile: (919) 854-1401

Respectfully submitted,

Mary L. Miller
 Mary L. Miller
 Registration No. 39,303

CERTIFICATION OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on January 29, 2008.

Claire Wimberly
 Claire Wimberly